

Court of Appeals, Division One
Civil Appeal

1 CA-CV 16-0153

COMMERCE et al. v. ZINKE et al.

Appellate Case Information

Case Filed: **24-Mar-2016**
Case Closed:

Dept/Composition

Side 1. COMMERCE REALTY ADVISORS, LTD, et al., Plaintiff/Appellee
(Litigant Group) COMMERCE REALTY ADVISORS et al.

- Commerce Realty Advisors Ltd
- CRA LLC

Attorneys for: Plaintiff/Appellee

John E DeWulf, Esq. (AZ Bar No. 6850)
Roopali H Desai, Esq. (AZ Bar No. 24295)

Side 2. ZINKE INVESTMENTS LIMITED PARTNERSHIP, et al., Defendant/Appellant
(Litigant Group) ZINKE INVESTMENTS LIMITED et al.

- Zinke Investments Limited Partnership
- Bernard L Zinke
- Gloria J Zinke

Attorneys for: Defendants/Appellants

Richard Q Nye, Esq. (AZ Bar No. 3831)

CASE STATUS

Nov 14, 2016....At Issue

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CV2011-019472	Motion for Judgment as a Matter of Law, New Trial, for Reconsideration and to Vacate Judgment		Arthur T Anderson, Authoring Judge of Order		

31 PROCEEDING ENTRIES

1.	24-Mar-2016	FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 02/26/16			
2.	24-Mar-2016	FILED: e-Record on Appeal: Instruments/Minute Entries EXHIBIT(S): HD 05/18/2015 LIST # 8 9 11 16 21 22 28 34 35 39 40 41 42 43 44 46 47 48 53 54 55 58 61 63 64 66 67 68 71 72 73 86 88 89 91 92 103 113 114 115 116 124 125 148 IN A BOX			
3.	30-Mar-2016	FILED: Notice to Parties re: Appellant's Fee/Case Management Statement/Brief Due			
4.	8-Apr-2016	FILED: Motion to Extend Filing Deadline for Opening Brief (1st Request); Certificate of Service (Appellant)			
5.	11-Apr-2016	ORDERED: Motion to Extend Filing Deadline for Opening Brief (1st Request) (Appellant) = GRANTED. Due date EXTENDED from Tuesday, 05-31-2016 to Thursday, 06-30-2016. Barbara Vidal Vaught ProTem Judge - Author			
6.	15-Apr-2016	FILED: Notice of Payment of Filing Fee; Certificate of Service (Appellants)			
7.	19-Apr-2016	FILED: Case Management Statement (Appellant)			
8.	20-Apr-2016	RECEIPT No.: 2016-00470 ; \$280.00, Authorization: #10013544267, Applied to: ZINKE INVESTMENTS LIMITED et al. - Class A Filing Fee (\$280.00) Paid for: - By Integrated Resource Systems IN			
9.	27-Apr-2016	FILED: Appellee's Notice re: Appellee's Fee; Appellant's Brief			
10.	3-May-2016	FILED: Reporter's Transcript - 05/18/2015 - Jury Trial (Miguel Benitez)			
11.	3-May-2016	FILED: Reporter's Transcript - 05/19/2015 - Jury Trial (Miguel Benitez)			
12.	3-May-2016	FILED: Reporter's Transcript - 05/20/2015 - Jury Trial (Miguel Benitez)			
13.	3-May-2016	FILED: Reporter's Transcript - 05/21/2015 - Jury Trial (Miguel Benitez)			
14.	3-May-2016	FILED: Reporter's Transcript - 12/04/2015 - Oral Argument (Miguel Benitez)			

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15. 5-May-2016 ORDERED: staying this appeal to/including 6/20/16, and revesting jurisdiction in Maricopa Superior Court to consider application by appellants for a signed order corresponding to its minute entry filed 2/3/16 and for a signed order corresponding to its minute entry filed 3/7/16. FURTHER ORDERED: Appellants shall file a timely amended notice of appeal after entry of signed order on ruling on attorneys' fees. FURTHER ORDERED: W/in 15 days after superior court issues a ruling on application, appellants shall file a notice w/ this court with ruling attached. Appellants shall also attach a filed-stamped copy of their amended notice of appeal. Appeal will be automatically reinstated. FURTHER ORDERED: If appeal has not been reinstated by filing signed orders by 6/20/16, appellants shall file a request to continue stay of appeal or appeal will be dismissed. FURTHER ORDERED: If signed orders have been filed, opening brief shall be due on 7/20/16. Melina Brill ProTem Judge - Author
16. 9-May-2016 FILED: Letter, 5/9/16, to Court from Appellee's counsel re: submission of filing fee
17. 9-May-2016 RECEIPT No.: 2016-00549 ; \$140.00, Check Number: #26681, Applied to: COMMERCE REALTY ADVISORS et al. - Class B Filing Fee (\$140.00) Paid for: - By Coppersmith Brockelman PLC
18. 23-May-2016 FILED: Supplemented Superior Court e-Record with Revised Index of Record (including Minute Entry filed 5/9/16 re: denying Zinke's Motion for Judgment as Matter of Law, New Trial, for Reconsideration and to Vacate Judgment)
19. 24-May-2016 FILED: Notice Pursuant to Eaton Fruit Order; Certificate of Service; Exhibit A (Appellant)
20. 7-Jun-2016 FILED: Supplemented Superior Court e-Record with Revised Index of Record (including Amended Notice of Appeal filed on 5/23/16)
21. 14-Jul-2016 FILED: Motion to Extend Deadline for Opening Brief; Certificate of Service (Appellant)
22. 19-Jul-2016 ORDERED: Motion to Extend Deadline for Opening Brief (Appellant) = DENIED. FURTHER ORDERED: opening brief due 08/01/2016. Melina Brill ProTem Judge - Author
23. 1-Aug-2016 FILED: Appellants Opening Brief; Certificate of Compliance; Certificate of Service (Appellants)
24. 1-Aug-2016 FILED: Appendix to Appellants Opening Brief (Appellants)
25. 1-Sep-2016 FILED: Unopposed Motion for Extension of Time to File Answering Brief (1st Request); Certificate of Service (Appellee)
26. 2-Sep-2016 ORDERED: Unopposed Motion for Extension of Time to File Answering Brief (1st Request) (Appellee) = GRANTED in part. Due date EXTENDED from Monday, 09-19-2016 to Wednesday, 10-19-2016. Barbara Vidal Vaught ProTem Judge - Author
27. 19-Oct-2016 FILED: Appellees' Answering Brief; Appellees' Certificate of Compliance; Appellees' Certificate of Service (Appellee)
28. 19-Oct-2016 FILED: Appellees' Appendix to Answering Brief (Appellee)
29. 14-Nov-2016 FILED: Appellants' Reply Brief; Certificate of Compliance; Certificate of Service (Appellants)
30. 5-Dec-2016 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
31. 15-Dec-2016 FILED: Supplemented Superior Court e-Record with Revised Index of Record